

ACTS  
AND  
LAWS,  
Passed by the Great and General  
Court or Assembly of Their  
Majesties Province of the  
Massachusetts-Bay, in  
NEW-ENGLAND.

Convened and held at Boston, the Thirty-first  
Day of May. 1693.

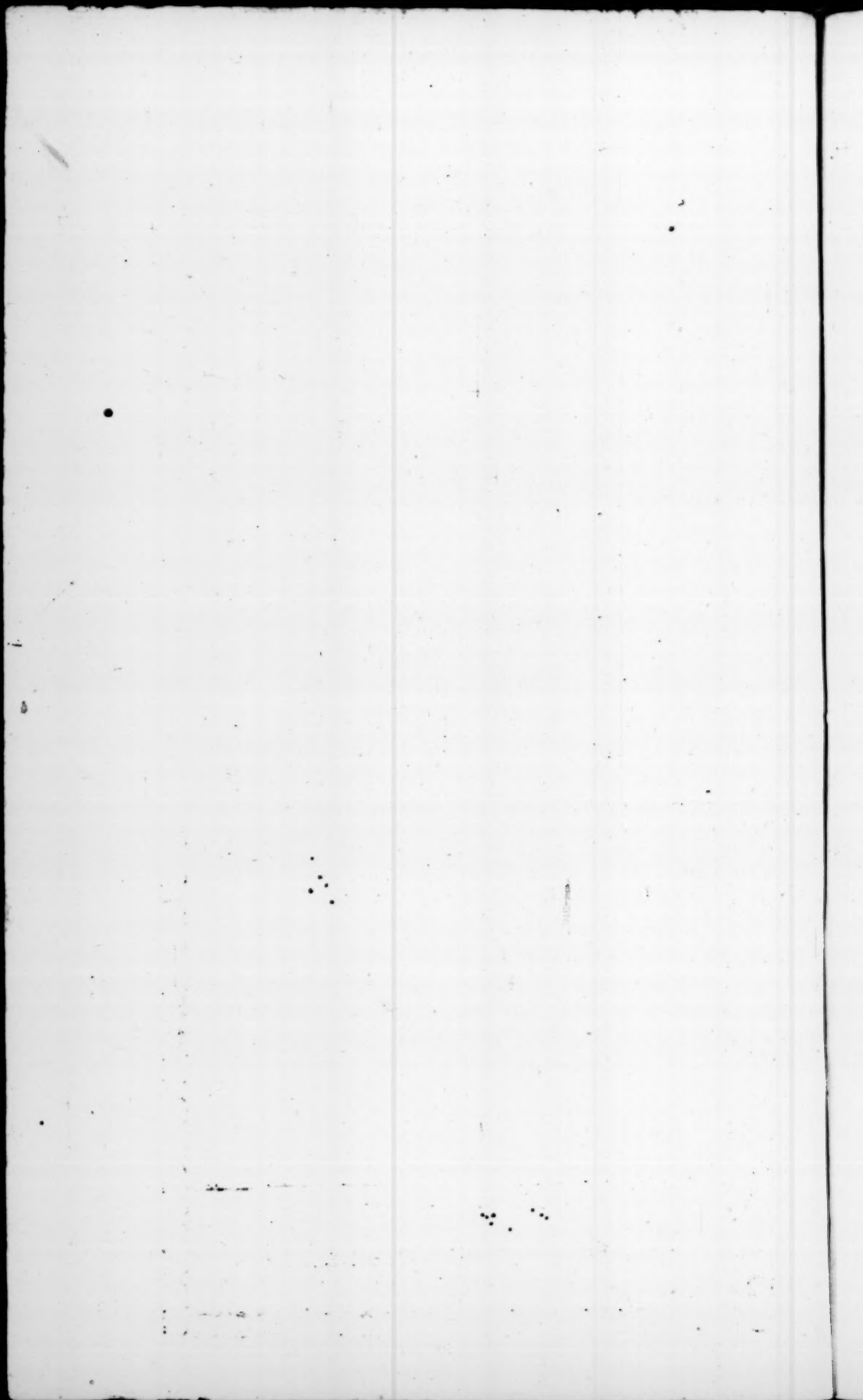
*Anno Regni Guilielmi, et Mariæ, Regis et Regina, Angliæ,  
Scotiæ, Franciæ, et Hiberniæ, Quinto.*



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B O S T O N.

Printed by Bartholomew Green, and Sold by  
Samuel Phillips. 1693.



## ACTS AND LAWS.

Passed by the Great and General Court  
or Assembly of Their Majesties Pro-  
vince of the Massachusetts-Bay, in  
NEW-ENGLAND &c.

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## AN ACT,

For the Restraining the taking  
Excessive Usury.

**F**ORASMUCH as the abatement of Interest hath always  
been found Beneficial to the Advancement of Trade; and  
Improvement of Lands by good Husbandry; and whereas  
the taking of Eight in the Hundred for the Interest of  
Money, tends to the great discouragement of Ingenuity and Industry  
in the Husbandry, Trade, and Commerce of this Province.

Be it for the Reasons aforesaid, Enacted by the Governour,  
Council, and Representatives, Convened in General Assembly,  
and it is Enacted by the Authority of the same,

That no person or persons whatsoever, from and after the first  
day of August in the year of our Lord, One Thousand Six Hun-  
dred Ninety Three; upon any Contract to be made after that time,  
shall take directly or indirectly, for Loan of any Moneys, Wares,  
Merchandize, or other Commodities whatsoever, above the value of  
Six

6 pound per.  
Cent. Interest  
per. annum  
for loan of  
Money.

## Excessive Usury.

*Penalty for  
Contracting  
for more.*

Six Pounds for the forbearance of one Hundred Pounds for a Year; and so after that Rate for a greater or lesser Sum, or for a longer or shorter time; and that all Bonds, Contracts, Mortgages and Assurances whatsoever, made after the time aforesaid, for the payment of any principal or Money Lent or Covenanted to be lent, upon or for Usury, whereupon or whereby there shall be Reserved, or taken above the Rate of Six Pounds in the Hundred as aforesaid, shall be utterly void; and that all and every Person and Persons whatsoever, which shall after the time aforesaid, upon any Contract take, accept, and receive by way or means of any Corrupt Bargain, Loan, Exchange, or by Covin, or deceitful conveyance, or by any other way or means whatsoever, for the forbearing or giving day of payment for one whole Year, of, and for their Money or other thing or things, above the sum of Six Pounds for the forbearing of one Hundred Pounds for a Year; and so after that Rate for a greater or lesser Sum, or for a longer or shorter time; shall forfeit and loose for every such Offence the full value of the Goods, and Moneys, or other things so lent, Exchanged, Bargained, Sold, or agreed for; one Moiety thereof to Their Majesties, towards the support of the Government of this Province, and the contingent charges thereof, the other Moiety to the Informer, that shall sue for the same; any Custom, Usage, or Law to the contrary notwithstanding.

*A Saving.*

**Provided**, nothing in this Act shall extend to the letting of Cattle, or other Usages of like nature, in practice amongst Farmers, or Maritime Contracts among Merchants, as Bottommary, or course of Exchange, as hath been heretofore accustomed.

AN

# AN ACT,

## For Regulating the Building of SHIPS.

**F**Orasmuch as the Building of Ships is a business of great importance for the Common Good, and therefore according to the Course and Practice of Their Majesties Kingdom of England, Suitable Provision is necessary to be made, that it be well Performed.

Be it therefore Enacted by the Governour, Council and Representatives Convened in General Assembly, and by the Authority of the same,

That when and so often as any Ship or Vessel of thirty Tuns or upwards, is to be Built, and set up in any Town or Place within this Province; before any Plank be brought on, the Builder or Owner shall repair unto one of the next Justices of the Peace within the same County, who upon Request made, is hereby Impowred to appoint and Authorize one or more able Shipwrights, to be Surveyors of said Building, and of all the Materials and Workmanship in and about the same from time to time as often as the Builder or Owner sees cause to call them; who are to take care that all the Materials be sound, sufficient and suitable for the Occasion, and that the works be done and performed Strong, Substantial and according to the Rules of their Art, and to direct that all insufficient and defective Timbers Plank or other Materials be taken out and amended; no Timber or Plank of Oake to be allowed other than White Oake: which Surveyers so appointed shall have an Oath Administred unto them, to be Faithful and Indifferent between the Builder and the Owner.

And it is further Enacted by the Authority aforesaid,

That if any Builder upon the advice and direction of such Surveyer or Surveyers shall neglect to reform and amend what is judged to be defective or amiss in any Materials or Work-man-ship shall forfeit and pay the Summ of Five Shillings *per diem* to the use of the poor of that Town where such Vessel shall be in Building until the defects be amended; being Convicted of such neglect before one or more Justices of the Peace, unless such Justice or Justices upon hearing of the Builder shall

shall see cause to allow him some further reasonable time for doing of the same. And if any Builder shall bring to, and fallen any Plank upon any Ship or Vessel of the Burthen aforesaid, before a Warrant of Survey be obtained as aforesaid, and the Surveyer, or Surveyers have been to view the Frame : Every Builder Offending herein, shall Forfeit and Pay the sum of Ten Pounds ; the one Moiety thereof to the use of Their Majesties, for Support of the Government of the Province and Contingent Charges thereof, and the other Moiety to him or them that shall Inform and Sue for the same, by Bill, Plaint or Information in any of Their Majesties Courts of Record.

*Penalty for neglect of procuring a Survey.*

And it is further Enacted by the Authority aforesaid.

*Surveyers allowance.* That when any Surveyer or Surveyers are called upon by the Builder or Owners, to Survey the Work or Materials, as is provided in this Act, every such Surveyer shall have for his Care and Attendance when called, three Shillings for every Survey ; which Charge of Surveying is to be born by the Builder when he is defective ; but when the Builder is not in fault, then by the Owner or Owners, And in case of Travail out of Town, to be further allowed for their time and necessary Charges.

# AN ACT

## Encouraging a Post Office.

**W**HEREAS Their Most Excellent Majesties by Their Letters Patents under the Great Seal of England, bearing Date the Seventeenth Day of February in the Year of our Lord One Thousand Six Hundred Ninety One. Have given unto *Thomas Neale Esq.* His Executors Administrators and Assigns full Power and Authority to Erect Settle and Establish within the Chief Ports of Their said Majesties Colonies and Plantations in *America*, an Office or Offices for the Receiving and Dispatching of Letters and Pacquets, and to Receive, send and Deliver the same under such Rates and Summs of Money as the Planters shall agree to give &c. To hold and enjoy the same for the Term of *Twenty One* Years, with such Powers and Clauses as are necessary on that behalf ; as by the said Letters Patents, Relation being thereunto had, may more fully and at large appear : And whereas *Andrew Hamilton Esq.* is Deputed and Constituted to Govern and Manage the said General Post Office for



## Post Office.

7

for and throughout all Their Majesties Plantations and Colonies in the Main land or Continent of *America* and the Islands Adjacent thereunto Pursuant to the Directions of the said Letters Patents : and whereas he said *Andrew Hamilton* hath made Application to His Excellency and Council and Representatives Convened in General Assembly, that they would Ascertain and Establish such Rates and Sums of Money upon Letters and Pacquets that shall be Received and Dispatched by the said Officer or Officers ; For the Effectual Encouragement of the said General Post Office ; and for the quicker Maintenance of mutual Correspondence amongst all the Neighbouring Colonies and Plantations aforesaid ; and that Trade and Commerce may be the better preserved.

Be it therefore Enacted by the Governour Council and Representatives Convened in General Assembly, and by the Authority of the same,

That there be from hence-forth a General Letter-Office Erected and Established in some Convenient place within the Town of *Boston*, *A General Letter Office Erected in Boston.* from whence all Letters and Pacquets whatsoever may be with speed and Expedition, sent into any part of the Neighbouring Colonies, and Plantations on the Main land and Continent of *America*, or unto any of Their Majesties Kingdoms and Dominions beyond the Seas ; at which said Office all Returns and Answers may be like wise Received, and that one Master of the said General Letter Office, shall from time to time be appointed by the said *Andrew Hamilton*, which said Master of the Office or his Servant, or Agent and no other Person or Persons whatsoever, shall from time to time, have the Receiving, taking up, Ordering, Dispatching, sending Post, or with speed, and delivering of Letters and Pacquets whatsoever, which shall from time to time be sent to and from all and every the Adjacent Colonies and Plantations on the Main land and Continent of *America*, or any other Their Majesties Kingdoms and Dominions beyond the Seas, where he the said Post-Master-General, shall settle or cause to be settled, Posts, or Running Messengers for that purpose, except such Letters of Merchants and Masters which shall be sent by any Masters of any Ships, Boat, or other Vessels of Merchandize, or by any other Person Employed by them for the Carriage of such Letters aforesaid, according to the Respective directions ; and also except Letters to be sent by any private Friend, or Friends, in their way of Journey, or Travail, or by any Messenger, or Messengers, sent on purpose for, or or Concerning the private Affairs of any Person and Persons.

And be it further Enacted by the Authority aforesaid,

That it shall and may be Lawful to, and for the Post Master General aforesaid, and his Deputy and Deputyes, by him thereunto sufficiently Authorized, to Demand, have, Receive and take for the Rates for Portage and Conveyance of all such Letters, which he shall so Convey Carry or send Post as aforesaid ; according to the Several Rates Letters.

and Summs of Current Money of this Province hereafter mentioned, nor to Exceed the same; *that is to say*, for the port of every single Letter from *Europe*, the *West-Indies*, or other parts beyond the sea, Two pence; and all Letters are to be accounted single, though they Contain Bills of Lading, Gazets, Invoyses, &c. and for each Pacquet of Letters from the places aforesaid, Four-pence; and a Pacquet shall be accounted three Letters at the least, and for the Port of every single Letter from *Rhode-Island* to *Boston*, or from *Boston* to *Rhode-Island*, six-pence, and so in proportion to the greatness and quantity of Letters, and for the Port of each single Letter from the Post-Road in *Connecticut* Colony, to *Boston*, Nine-pence, and so in proportion as aforesaid; and for the port of each single Letter from the City of *New-York*, Twelve-pence, and so in proportion as aforesaid; and for the Port of each single Letter from the Provinces of East or West *Jersey*, or *Pennsylvania*, Fifteen-pence, and so in proportion as aforesaid; and for the Port of each single Letter from *Maryland* or *Virginia*, Two Shillings each single Letter, and so in proportion as aforesaid, and for the Port of each single Letter from *Salem*, Three-pence; From *Ipswich*, *Newbury*, or other places Eastward of *Salem*, within this Province, Four-pence; and from *Piscataqua*, Six-pence, and so in proportion as aforesaid; And if any Letters or Pacquets, shall Lie and Remain in the Office Uncalled for, by the space of Forty Eight Hours, the Post-Master then sending them forth to the Respective Houses of the persons to whom they are Directed, shall have and receive one penny more for each Letter or Pacquet.

## And for the more Effectual Encouragement of the said General Post-Office.

Be it further Enacted by the Authority aforesaid,

Post, to pass  
Ferryage free

That all such persons as shall be Employed by the Post-Master General in the several Stages within this Province, shall and may Pass and Repass all and every Ferry within this Province, at any time during the Continuance of this Act in Force, without paying any Rate or Sum of Mony, either for his own or his Horses Passage.

And be it further Enacted by the Authority aforesaid,

That no person or persons whatsoever, or Bodys Politick or Corporall, other then the Post-Master General aforesaid, shall presume to Carry, Recarry or Deliver Letters for Hire, other then as before excepted, or to Set up or Employ any Foot-Post, Horse-Post or Pacquet-Boat whatsoever for the Carrying, Conveying, and Recarrying of any Letters or Pacquets by Sea or Land within this Province, or shall provide and maintain Horses and Furniture for the Equipping of any persons Riding Post, with a Guide and Horn as is usual in Their Majestyes Realm of *England*, upon the pain of Forfeiting the Sum



of Forty Pounds Currant Money of this Province, for every several Offence against the Tenour of this present Act to be Sued and Recovered in any Court of Record within this Province, by Bill, Plaint, or Information, wherein no Essoyn, Protection or Wager of Law shall be Allowed: one half of the said Forfeiture to Their Majesties, towards the support of the Government of this Province, and the Contingent Charges thereof; the other half to the Post-Master-General, who shall sue and prosecute for the same.

And be it further Enacted by the Authority aforesaid,

That all Letters and Pacquets that by any Master of any Ship or Vessel, or any of his Company, or any Passengers therein, shall or may be brought to this Port of **Boston**, (other than such Letters as are before Excepted) shall by such Master, Passenger, or other Person, be forthwith delivered to the Post-Master of **Boston**, for the time being, or unto his Servants or Agents by him or them to be delivered according to the several and respective directions of the same; the said Post-Master, or his Servants paying to the Master of any such Ship or Vessel, so delivering in his Letters, a half-penny for every Letter or Pacquit.

*Masters of Ships &c. to deliver in their Letters to the Post Office.*

And it is further Enacted by the Authority aforesaid,

That the Post-Master-General, his Officers or Servants, shall continue constant Posts, for the carriage of Letters to the several Places and Stages above mentioned; and shall seasonably and faithfully deliver forth the Letters, according to the Intent of this Act, upon pain of forfeiture for every Omission Five pounds, to be recovered as aforesaid, and to be disposed the one half to Their Majesties, as aforesaid; the other half to the party aggrieved, who shall sue for the same.

*Penalty for the Post-masters neglect of continuing constant Posts and delivering Letters.*

And it is further Enacted,

That the said Post-Master, his Agents or Servants, upon the coming in of every Post, do mark every Letter with a Print, to show the day of the Moneth, and Year when every Letter came in.

*Letters to be marked.*

And it is further Enacted by the Authority aforesaid,

That if any Ferry-man within this Their Majesties Province, at any time neglect, refuse, or delay the conveying over his, or their Ferry any Post-man, or his Horse, he shall forfeit the sume of Five pounds, to be recovered and disposed; as the penalty before by this Act, laid upon such as shall set up any Post or Pacquet Boat.

*Penalty for Ferry-mens neglect.*

And it is further Enacted by the Authority aforesaid,

That all Letters of Publick concernment for Their Majesties

*Ser- Publick Letters vice, ters to a free.*

## 10 Titles at Marthas Vineyard &c. Confirmed

vice, from time to time, and at all times shall be received, dispatched away, and delivered with all possible speed, according to the respective directions thereon free of all charge; and without demanding or receiving any Money or pay for the same, any thing herein before contained notwithstanding.

**Provided**, that this Act, nor any thing therein contained, shall continue in force any longer than three Years from and after the Publication thereof, any thing herein to the contrary notwithstanding.

# AN ACT,

For Confirmation of Titles within  
the Islands of Capawock, alias  
Marthas Vineyard and  
Nantuket.

**W**HEREAS Their Most Gracious Majesties, our Sovereign Lord and Lady KING William and QUEEN Mary, in and by Their Royal Charter, or Letters Patents, bearing date at *Westminster* the seventh day of **October**. In the third year of Their said Majesties Reign: for the Uniting, Erecting and Incorporating of the Colonie of the *Massachusetts Bay*, and Colonie of *New-Plimouth*, the Province of Main, the Territory called *Acada* or *Nova-Scotia*, and all that Tract of Land lying between the said Territories of *Nova-Scotia*, and the said Province of Main, into one real Province by the name of the Province of the *Massachusetts Bay*, in **New-England**: have therein particularly named, comprehended and included the Islands of *Capawock* and *Nantucket* as part of the said Province of the *Massachusetts Bay*, and annexed the same thereto. And also all Islands and Islets, lying within Ten Leagues directly opposite to the main land within the said Bounds.

And whereas Their said Majesties have also been graciously pleased in and by Their said Letters Patents; to grant and ordain that all  
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10

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## Titles at Marthas Vineyard &c. Confirmed ii

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and every such Lands, Tenements and Hereditaments and other Estates, which any Person or Persons, or Bodies Politick and Corporate, Towns, Villages, Colledges or Schools, do hold and enjoy or ought to have, hold and enjoy within the bounds of the said Charter, by or under any Grant or Estate duely made or granted, by any General Court formerly held, or by vertue of the Letters Patents herein before recited, or by any other lawful right or title whatsoever; shall be by such person or persons, Bodies Politick and Corporate, Towns, Villages, Colledges or Schools, their respective Heirs Successors and Assigns for ever hereafter held and enjoyed according to the purport and intent of such respective Grant, under and subject nevertheless to the Rents and Services thereby reserved or made payable &c. as in and by the before recited Charter or Letters Patents reference thereto being, had doth and will more fully and at large appear.

But forasmuch as the said Island of *Capawock, alias Martha's Vineyard*, and the Island of *Nantuket*, were for some time under the Rule and Government of the Province of *New-York*, and the properties and Titles of the Lands upon the said Islands respectively being derived and founded upon several Grants and Patents made and granted by the Successive Governours of the said Province of *New-York*; and so legal there according to the constitution, usage and custom of the Government of said *New-York*. And the Inhabitants and Proprietors of Lands within the said Island of *Capawock, alias Martha's Vineyard* and the Island of *Nantuket*; for their better quiet and satisfaction, desiring this Courts confirmation of the same.

**It is therefore Declared, and Enacted by the Governour Council and Representatives Convened in General Assembly, and by the Authority of the same,**

That all Lands Tenements, Hereditaments and other Estates held and enjoyed by any person or persons, Towns, or Villages within the said Islands of *Capawock, alias Martha's Vineyard* and *Nantuket*, and each of them respectively, by or under any Grant or Estate duely made or granted by any former Government, or by the Successive Governours of *New-York*, or any other lawful right or Title whatsoever; shall be by such person or persons Towns or Villages their respective Heirs, Successors and Assigns, forever hereafter held and enjoyed, according to the true purport and intent of such respective Grant, under and subject nevertheless to the Rents and Services thereby reserved or made payable: And are hereby ratified and confirmed as fully and amply to all intents, constructions and purposes, as the Lands in any other parts or places within this Province, by virtue of Their Majesties Royal Charter.

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## AN ACT,

For the better Collecting the  
Impost and Excise, and Pre-  
venting Frauds.

**B**E it Enacted by the Gouverneur, Council, and Represen-  
tatives, Convened in General Assembly, and by the Au-  
thority of the same,

That such Officer or Officers as are or shall be Impowred and  
appointed by the Commissioners for Impost and Excise, shall have  
*Officers Im-* power and are hereby Authorized, to enter on Board any Ship or  
*powred to* Vessel, There to make search, or to attend the unloading of any such  
*enter and* Ship or Vessel, the better to prevent fraud, and to secure the true payment  
*search Vessels* of the Duties; as by Act or Acts, for, or relating to the Impost and Excise,  
is imposed.

And all Masters of Ships or other Vessels coming in to any of the  
Harbours or ports within this Province, before they break Bulk shall  
*Masters of* make a Report to the Commissioners for Impost and Excise, or such as  
*Ships to En-* are by them appointed to Receive the same, the Contents of the  
*ter at the* Loading; without any charge or fee to be demanded or paid for the  
*Impost Office* same. And if they have on Board any goods liable by Law to  
*before break-* pay Impost; They shall then also give an Account under their Hands,  
*ing bulk.* to the best of their knowledge, of the quantities, Species, and to whom  
the goods are consigned, with the marks thereof, after which they may  
unload and not before, on pain of Fifty pounds to be forfeited and  
paid by each Master, who shall neglect his duty in this behalf.

**B**e it further Enacted by the Authority aforesaid,

That no Goods that by Law ought to pay Impost unloaden out of  
*Goods to be* any Ship or Vessel; shall be landed on any Wharfe or into any Ware-  
*landed in the* house or other place, but in the day-time onely, and that after Sun rise,  
*daytime only.* and before Sun set; unless in the presence of, and with the content of  
the Officer appointed to inspect such affaires, on the Forfeiture of  
such goods.

And

## Better Collecting the Impost & Excise. 13

And it is further Enacted,

That every Master or Head of a Family, shall be accountable for the Transgression of the Law Relating to Retailing without Licence, whether it be by his Wife, Children, Servants, or any other Employed by him. *Masters of Families to be accountable for breach of the Law.*

And all Persons Retailers of Wines, Liquors, Beer, Ale, or Cyder, shall make entry and Pay as *per. Law, The Excise for the same*, before they receive it into their Houses, Cellars, Shops, Ware-houses, or other rooms or places, on the penalty of forfeiture of the same, (unless they have agreed by the year with the Commissioners) any Law or usage to the contrary notwithstanding : And whatsoever Wines, Liquors, Cyder, Beer, or Ale, that is bought by, or for any Retailers and shall not be entred, but is concealed ; the Commissioners for the Impost and Excise, or any Impowred by them, may on Their Majesties behalf sue, and recover of such Retailer every such sum or sums, as should have been paid for such Wines, or Liquors so bought and concealed ; by Information, Plaint, or action of debt, in any of Their Majesties Courts of Record within this Province.

And it is further Enacted by the Authority aforesaid,

That all Retailers that refuse to open the Doors of their Houses, Cellars, Vaults, Rooms, or other places suspected by the Commissioners, or persons by them Impowred to inspect the Excise ; to have Wines, Liquors, Beer, or Cyder concealed, with intent to defraud Their Majesties of the duties required and laid by the Act for Impost and Excise, upon complaint made to a Justice of the Peace, it shall and may be Lawful for, and such Justice is hereby required to Issue out a Warrant to such Officer complaining, thereby to enable him with the Assistance of a Constable in the day time, to break open the Doors of such Houses, Cellars, Vaults, Rooms, or other places, where they are denied entrance ; and finding any Wines, Liquors, Beer, or Cyder concealed that ought, but yet hath not been entred, and the duty of Excise paid as the Act provides ; they are to seize and secure the same in order to Tryal and Condemnation ; and all Constables and others are to be aiding and assisting to them therein. *Justice of Peace to grant Warrant for breaking open doors.*

And if any Wines, Liquors, Beer, or Cyder, be Seized for any Offence committed against the Act for Excise, in any of the particulars thereof ; the proof whether the duties be paid, or secured to be paid, shall lye upon the Claimer, and shall not be Incumbent on the prosecutor, or informer, in behalf of Their Majesties and himself : *In case of Seizure the proof of duties being paid, to lye on the Claimer.* **Provided**, such Seizure be made, or Action brought within Ten days, after the ground for such forfeiture, or action did arise.



And it is further Enacted by the Authority aforesaid,

That all penalties and forfeitures arising for the breach of this Act, or any Clause or Article therein, shall enure and accrue one half thereof to Their Majesties, towards the support of the Government of the Province; the other half to him, or them, that shall inform and sue for the same.

*Forfeitures  
how to be  
disposed.*

Provided nevertheless, that this Act shall continue in force, until the *Twenty ninth* day of *June*, One Thousand Six Hundred Ninety Four, and no longer, any thing herein contained to the contrary thereof in any wise notwithstanding.

# AN ACT,

## Encouraging the Killing of WOLVES.

**B**E it Enacted by the Gouverneur, Council, and Representatives, Convened in General Assembly, and by the Authority of the same,

That whosoever hath since the *Fourteenth* day of *May*, One Thousand Six Hundred Ninety Two : or shall hereafter Kill any *Wolves to be* grown Wolfe within this Province, and bring the head thereof unto *paid for out* the Constable of the Town, in which such Wolfe shall be Kill'd, or *of the Town* to the Constable of the Town next Adjacent unto the place of *Stock.* Killing

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## Killing of Wolves.

15

Killing such Wolfe, without the bounds of any Township, shall have a Receipt of the Constable for the same, and the Constable shall cut off both the Ears from such Head ; And the party producing the Constables Receipt unto the Select men of said Town, or some one of them, shall be allowed and paid out of the Towns Stock, the sum of *Twenty* Shillings for every head, as aforesaid, of a grown Wolfe by him kill'd, and the sum of *Five* Shillings for every Wolves Whelp.

And the better to furnish the Select men with a Stock sufficient, to answer such payments.

It is Further Enacted by the Authority aforesaid,

That the Select men of each Town respectively, shall be, and hereby are, Sufficiently Authorized and Impowred, to Assess the Inhabitants of their Town yearly, in due proportion as near as they can, such sum and sums as they shall judge necessary, to serve that Occasion, together with other charges of the Town, and to cause the same to be Collected in manner as is by Law directed for the gathering of Town Rates : And all such sum and sums of Money, to be paid out of any Town Stock, for the Killing of Wolves, the same being made to appear, shall be allowed unto such Town by the General Treasurer of the Province out of the Publick Revenue.

*Select men to Assess their Town yearly for this Occasion, to be reimburs'd out of the Publick Treasury.*

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## F I N I S.

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